

REMARKS

Reconsideration and withdrawal of the objections and rejections set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 35-62 are now pending and newly-presented in this application, with Claims 35, 36, 42, 43, 47, 51, 55, and 59 being independent. Claims 1, 2, 4, 8, 9, 11-14, and 17-34 have been cancelled without prejudice or disclaimer.

Claims 1, 8, 17, 18, 26, and 31 were objected to for informalities. Since these claims have been cancelled without prejudice or disclaimer, the claim objection is deemed moot.

Claims 1, 8, 17, 18, 26, and 31 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Since these claims have been cancelled without prejudice or disclaimer, the § 112 is also deemed moot. Reconsideration and withdrawal of the § 112, second paragraph, rejection are requested.

Claims 1, 2, 4, 8, 9, 11-14, and 17-34 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent Application Publication No. 2002/0006235 (Takahashi). Since these claims have been cancelled without prejudice or disclaimer, the § 102 is deemed moot. Nevertheless, the newly-presented claims are believed to be patentable over the citations of record for the following reasons.

Takahashi is directed to an image processing apparatus that enables unified management of image data taken with a digital camera and its corresponding print format separately set for a printing device. The Office Action suggests that paragraph [0090] of

Takahashi supports the features of the assignment means and steps in the claims. Applicants respectfully disagree.

As discussed in paragraph [0090] of Takahashi, printer 22 issues an image data request to a digital camera 21 through an interface 60, and after reception of image data and print format from the digital camera 21, the printer analyzes the received data by a print analyzer section 61 and then executes image processing by a layout section 62 in an image processor 63 to print an image. It is respectfully submitted that print analyzer section 61, layout section 62 and image processor 63 are fixedly provided in the printer 22. Accordingly, Takahashi cannot disclose or suggest at least determining a presence/absence or comparative merits of each of a plurality of functions of an image supply device and a recording device and assigning the plurality of functions to the image supply device and the recording device based on a determination, as is recited in the independent Claims 35 and 36. Nor can Takahashi be said to disclose or suggest at least after establishment of a communication procedure, assigning at least one of an operation controller including user interface, a storage controller for controlling a storage storing an image file and a print controller for controlling a print operation, as is recited in independent Claims 42, 43, 47, 51, 55, and 59.

Thus, Takahashi fails to disclose or suggest important features of the present invention recited in the independent claims. Therefore, Claims 35, 36, 42, 43, 47, 51, 55, and 59 are patentable over the citations of record. Reconsideration and withdrawal of the § 102 rejection are respectfully requested.

For the foregoing reasons, Applicants respectfully submit that the present

invention is patentably defined by independent Claims 35, 36, 42, 43, 47, 51, 55, and 59. Dependent Claims 37-41, 44-46, 48-50, 52-54, 56-58, and 60-62 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Mark A. Williamson/

Mark A. Williamson
Attorney for Applicants
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

MAW:ytr

FCIS_WS 1411540v1